



PATENT
Docket No. 11245/46605

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: WAKSAL, Harlan W.

Application No.: 09/996,954

Art Unit: 1643

Filing Date: November 30, 2001

Examiner: Holleran, Anne L.

For: TREATMENT OF
REFRACTORY HUMAN
TUMORS WITH
EPIDERMAL GROWTH
FACTOR RECEPTOR
ANTAGONISTS

RULE 132 DECLARATION OF ERIC ROWINSKY

I, ERIC K. ROWINSKY, do hereby declare as follows:

1. I am Senior Vice President, Chief Medical Officer at ImClone Systems, Inc., assignee of the above identified patent application.

2. My curriculum vitae is attached as Exhibit A.

3. Although considerable progress has been made over the last several decades in understanding the specific cellular, molecular and genetic mechanisms that contribute to cancer growth and progression, the discovery of novel drugs for treatment of tumors still remains a challenging endeavor. This is especially true, for tumors that have become resistant to conventional forms of drug treatment and continue to grow in the presence of drug treatment. Such tumors are referred to as refractory tumors.

4. There remains a long felt need for a treatment that targets refractory tumors and overcomes the insurmountable problem of treating patients having refractory cancer. ImClone's invention provides a solution to the problem which is based on the use of anti-EGFR antibodies to treat refractory cancer.